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WAR FOOD ADMINISTRATION

[WFO 18-3, Amdt. 5]

PART 1415—IMPORTED FOODS

TEA QUOTAS, PACKING RESTRICTIONS, REPORTS, AND RECORDS FOR PACKERS AND WHOLESALESA

War Food Order No. 18-3, 9 F.R. 4321, 4319 (formerly designated as Director Food Distribution Order No. 18-3, as issued by the Acting Director of Food Distribution, on June 17, 1943, and as amended, 8 F.R. 16313) is further amended to read as follows:

§ 1415.6 *Tea quotas, packing restrictions, reports, and records*—(a) *Definitions*. (1) "Packer" means any person who delivers tea packed by him or tea packed for his account by some other person, to the extent of the deliveries of such tea made by him.

(2) "Wholesale receiver" means any person (regardless of whether he is also a packer) who accepts deliveries of tea in bulk form or tea packed by, or for the account of, some other person, to the extent that he resells such tea (i) exclusively or predominantly at wholesale; or (ii) through four or more centrally owned, affiliated, or independent retail stores owned or, for purchasing purposes, represented by him; or (iii) at retail or for any other purpose not specified above if, during the calendar year 1941 or the portion of such calendar year during which he was engaged in the business of purchasing tea, his monthly purchases of such tea averaged 200 pounds or more.

(3) "Net deliveries" means (i) with respect to a packer, the total number of pounds of tea delivered by a packer which was packed by, or for the account of, such packer, but shall not include deliveries of such tea made by the respective packer to governmental agencies pursuant to (c) (1) hereof; (ii) with respect to a wholesale receiver, the total number of pounds of bulk tea and tea packed by, or for the account of, some other person delivered by the wholesale receiver, minus the total of all deliveries of such tea made to governmental agencies pursuant to (c) (1) hereof.

(4) "Quota period" means the quarter-annual period commencing January 1, April 1, July 1, or October 1, of each year.

(5) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(6) "Governmental agency" means (i) the Armed Services of the United States (for the purposes of this order, including, but not restricted to, the United States Army Post Exchange, sales commissaries, United States Navy ships' service departments, and the United States Marine Corps post exchange); (ii) the War Food Administration (including, but not restricted to, any corporate agency thereof); (iii) the War Shipping Administration; (iv) the Veterans' Administration; and (v) any other instru-

mentality or agency designated by the War Food Administrator. The term "governmental agency" also includes any person who, pursuant to a war food order, is entitled to purchase tea subject to this order.

(7) "Armed Services of the United States" means the Army, Navy, Marine Corps, and Coast Guard of the United States.

(b) *Tea quotas*. (1) During each quota period commencing on January 1, of each year, no packer shall deliver a total quantity of tea which was packed by him or for his account which is in excess of 75% of the amount of his net deliveries of such tea during the corresponding quarterly period of the calendar year 1941 or 1942, whichever amount is the greater.

(2) During each quota period of each year, other than the quota period commencing January 1, no packer shall deliver a total quantity of tea which was packed by him or for his account which is in excess of 75% of the total amount of his net deliveries of such tea during the corresponding quarterly period of the calendar year 1941.

(3) During the quota period commencing January 1 of each year, no wholesale receiver shall accept delivery of a total quantity of tea in bulk form and tea packed by, or for the account of, some other person which is in excess of 75% of his net deliveries of such tea during the corresponding quarterly period of the calendar year 1941 or 1942, whichever amount is the greater.

(4) During each quota period, other than the quota period commencing on January 1 of each year, no wholesale receiver shall accept delivery of a total quantity of tea in bulk form and tea packed by or for the account of some other person which is in excess of 75% of his net deliveries of such tea during the corresponding quarterly period of the calendar year 1941.

(5) Any person may carry over the unused portion of his quota established pursuant to (b) (1), (2), (3), and (4) for any quota period, and utilize said unused portion in the subsequent quota period.

(6) Any packer who delivers a substantial portion of his quota of tea directly to consumers or to retailers may, by letter, submit to the Director a plan to transfer the distribution of all or a part of that portion to wholesale receivers. Such a plan must contemplate a substantial conservation of automotive and related equipment and material and also contain provision for equitable distribution of the transferred volume among such wholesale receivers and an equitable redistribution of that volume within the areas previously served directly by the packer. If such a plan is authorized by the Director, the packer may deliver to wholesale receivers, and such wholesale receivers may accept, without charge to their quotas, the volume of tea authorized for transfer: Pro-

vided, That delivery of such tea is accompanied by a dated certification by the packer in substantially the following language (with the appropriate information inserted in the blank spaces):

Pursuant to authorization issued to the undersigned by the Director of Distribution, War Food Administration, you may accept the tea delivered hereunder, without charge to your quota as a wholesale receiver.

Name of packer company _____

By _____ Title _____

(7) Any person who directly or indirectly serves any county or other area designated in Schedule D, § 1047.244, of Ration Order 3 of the Office of Price Administration, as amended (7 F.R. 6937, 9 F.R. 1433), and (i) who computes his quota for any quota period commencing on January 1 upon the basis of the specified 1941 base period, as provided in (b) (1) or (3) hereof, and not the 1942 base period, or (ii) who is entitled to a quota pursuant to the provisions of (b) (2) or (4) hereof, is hereby assigned a supplementary quota for each such quota period. Such supplementary quota, which shall be available only for ultimate distribution in the respective increased-population area referred to in said Schedule D, shall be computed by determining the amount of his quota under the provisions hereof, by determining the portion of that amount allocable to deliveries to or for each such area, and by applying to that portion the percentage of population increase designated in said Schedule D of Ration Order 3, for the respective area. Such supplementary quota shall be computed on the basis of the provisions of said Schedule D which are in effect on the first day of the quota period during which the supplementary quota is used.

(8) The quotas prescribed hereunder shall be calculated quantitatively in terms of pounds.

(c) *Quota-exempt deliveries and acceptances*. (1) Notwithstanding any restriction contained in this order any packer may, without charge to his quota, deliver tea to or for a governmental agency and any wholesale receiver may, without charge to his quota, accept delivery of tea to replace tea delivery to or for a governmental agency.

(2) No wholesale receiver shall accept delivery of tea to replace tea delivered to or for a governmental agency pursuant to (c) (1) hereof and no packer shall deliver tea free of any quota restrictions to any such wholesale receiver pursuant to (c) (1) hereof unless such wholesale receiver furnishes to the packer a written certification in duplicate for each delivery made by the wholesale receiver to a governmental agency. Such certification shall indicate the name of the governmental agency to which the wholesale receiver has delivered tea free of quota restrictions, the date upon which such delivery was made to such governmental agency, and the quantity of tea so delivered to such governmental

agency. The packer to whom such certification has been furnished as aforesaid shall retain the original of such certification until the termination of this order.

(d) *Packer's acceptances.* No packer shall, during any quota period, accept delivery of a total quantity of tea in bulk form which is in excess of his delivery quota for such quota period plus the quantity, if any, by which his delivery quota for the immediately preceding quota period exceeded the total quantity of tea in bulk form accepted by him during such immediately preceding quota period.

(e) *Restrictions on packaging.* (1) No packer shall pack tea intended for sale at retail in packages of more than 4 sizes and such sizes shall contain either 16 ounces, 8 ounces, 4 ounces, or 1½ ounces net weight.

(2) No packer shall pack tea bags or tea balls intended for sale at retail except at the rate of 200 bags or balls per net pound of tea; and no packer shall pack tea bags or tea balls intended for sale at retail in more than 3 sizes, and such sizes shall contain either 48 bags, 16 bags, or 8 bags each.

(3) No packer shall pack tea bags or tea balls for, or sell tea bags or tea balls to, any hotel, club, restaurant, cafe, cafeteria, caterer, inn, railroad diner, lunch room, sandwich stand, or any public eating place in sizes other than the following: (i) for individual service, at the rate of either 200 or 250 bags or balls per net pound of tea and in containers of only 100 bags each; or (ii) for iced tea service, each tea bag shall contain only one ounce of tea, and such tea

bags which are packed in containers shall be so packed only in multiples of 16.

(f) *Applicability of order.* Any person doing business in one or more of the 48 States or the District of Columbia is subject to the provisions hereof, but the provisions hereof shall not apply to any person doing business in any Territory or possession of the United States with respect to such business.

(g) *Reports.* Each packer shall correctly complete form FDO 18-1 for each quarterly period and submit such completed form to the Director within 15 calendar days after termination of the quota period for which such form is submitted. Every packer and every wholesale receiver participating in any transaction to which this order applies shall maintain records which, upon examination, will disclose his total quarter-annual inventories of tea and the total quarter-annual deliveries made by him (if he is a packer) or accepted by him (if he is a wholesale receiver). If the sales slips, invoices, bills or other instruments or records customarily kept by him are sufficient to furnish the information specified herein, no additional record system need be installed to meet the requirements hereof. All documents and records heretofore or hereafter required to be kept by packers and wholesale receivers pursuant to the provisions of this order and now in the possession of packers and wholesale receivers shall be kept and preserved until the termination of this order.

(h) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unrea-

sonable hardship on him may apply in writing for relief to the Director, setting forth in such petition all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate which action shall be final.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall unless instructions to the contrary are issued by the Director, be addressed to the Director of Distribution, War Food Administration, Washington 25, D. C., Ref. WFO-18.

(j) *Effective date.* The provisions hereof shall become effective at 12:01 a. m., e. w. t., July 1, 1944. With respect to violations of War Food Order No. 18-3, as heretofore amended, rights accrued or liabilities incurred prior to the effective time of this amendment, said War Food Order No. 18-3, as heretofore amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 18, 8 F.R. 1778, 9103, 9 F.R. 4321, 4319)

Issued this 26th day of June 1944.

LEE MARSHALL,
Director of Distribution.

War Food Administration,
Summary to WFO 18.3 Amendment 5.

Beginning July 1, tea packers no longer will be permitted to accept 1½ times their quarterly delivery quotas of bulk tea but may receive within any quarterly period only a quantity equivalent to their delivery quotas. In addition, however, any packer whose acceptances during a quota period are less than his delivery quota may make up the deficit in the next succeeding quarter. The quantity which

packers are permitted to deliver has not been changed.

This action was taken by the War Food Administration in an amendment to War Food Order 18.3. The amendment was considered advisable in the interests of equitable distribution, WFA pointed out.

Packers at any time during any quota period may deliver and wholesale receivers may accept in addition to their permissible quotas for that period any unused portion of their quotas for the immediately preceding quota period, ac-

cording to the amendment. Formerly, packers were permitted the use of such carryovers during the first month only of a quarterly period.

Another change in the order requires all packers to submit reports on form FDO 18.1 within 15 days after the close of each quarterly period. Persons regulated by the order are required to preserve their records of their deliveries and acceptances for the duration of the order.

GPO—WFA 750—p. 2

WAR FOOD ADMINISTRATION
OFFICE OF DISTRIBUTION
WASHINGTON 25, D. C.

OFFICIAL BUSINESS

Penalty for Private Use to Avoid Payment of
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WFO FOOD ADMINISTRATION

[WFO 18-3, Amdt. 6]

PART 1415—IMPORTED FOODS

TEA QUOTAS, PACKING RESTRICTIONS, REPORTS,
AND RECORDS FOR PACKERS AND WHOLE-
SALEERS

War Food Order No. 18-3, as amended (8 F.R. 8389, 9103, 12122, 13434, 16313; 9 F.R. 4321, 4319, 7251), is further amended to read as follows:

§ 1415.6 *Tea quotas, packing restrictions, reports, and records*—(a) *Definitions*. (1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(2) "Packer" means:

(i) Any person who delivers tea which such person owned and packed or had packed for his account; or

(ii) Any person who delivers tea which such person owned and packed or had packed for his account and, in addition, delivers bulk tea.

(3) "Pack" means, with respect to tea, (i) to place not more than 16 ounces of tea into any type of container; or, with respect to tea bags or tea balls, (ii) to place tea bags or tea balls into any type of container.

(4) "Bulk tea" means tea which is not packed.

(5) "Wholesale receiver" means, except qualified distributors as defined in War Food Order No. 21, as amended (8 F.R. 2077; 9 F.R. 150, 1084, 4321, 4319), and the U. S. Commercial Company, Foreign Economic Administration:

(i) Any person who is not a packer and who accepts delivery of bulk tea, whether or not for resale as bulk tea; or

(ii) Any person (whether or not a packer) who purchases packed tea (a) for resale exclusively or predominantly at wholesale; or (b) for resale through four or more centrally owned, affiliated, or independent retail stores owned or, for purchasing purposes, represented by him; or (c) for resale at retail or for any purpose not specified in (a) or (b) of (a) (5) hereof if, during the calendar year 1941 or the portion of such calendar year during which he was engaged in the business of purchasing tea, his monthly purchases of such tea averaged 200 pounds or more.

(6) "Net deliveries" means the total number of pounds of tea delivered other than to or for a governmental agency.

(7) "Quota period" means the quarter-annual period commencing January 1, April 1, July 1, or October 1 of each calendar year.

(8) "Governmental agency" means (i) the Armed Services of the United States (for the purposes of this order, including, but not being restricted to, the United States Army post exchanges, sales commissaries, United States Navy ships' service departments, and the United States Marine Corps post exchanges); (ii) the War Food Administration (including, but not being restricted to, any

corporate agency thereof); (iii) the War Shipping Administration; (iv) the Veterans Administration; (v) any other instrumentality or agency designated by the War Food Administrator; and (vi) any person who, pursuant to a war food order, is entitled to purchase tea subject to this order.

(9) "Armed Services of the United States" means the Army, Navy, Marine Corps, and Coast Guard of the United States.

(b) *Tea quotas*. A wholesale receiver who is also a packer and accepts or delivers bulk tea shall, with respect to such tea, be subject to the provisions hereof applicable to packers.

(1) During the quota period commencing on January 1, a packer's net deliveries of tea which such packer owned and packed or had packed for his account, or bulk tea, or both, shall not exceed 75 percent of such packer's aggregate net deliveries of all such tea during the corresponding quota period of the calendar year 1941 or 1942 whichever amount is the greater.

(2) During each quota period, other than the quota period commencing January 1, a packer's net deliveries of tea which such packer owned and packed or had packed for his account, or bulk tea, or both, shall not exceed 75 percent of such packer's aggregate net deliveries of all such tea during the corresponding quota period of the calendar year 1941.

(3) During the quota period commencing January 1, a wholesale receiver shall not accept delivery of a total quantity of tea which some other person owned and packed or had packed for such other person's account, or bulk tea, or both, in excess of 75 percent of such wholesale receiver's aggregate net deliveries of all such tea during the corresponding quota period of the calendar year 1941 or 1942 whichever amount is the greater.

(4) During each quota period, other than the quota period commencing on January 1, a wholesale receiver shall not accept delivery of a total quantity of tea which some other person owned and packed or had packed for such other person's account, or bulk tea, or both, in excess of 75 percent of such wholesale receiver's aggregate net deliveries of all such tea during the corresponding quota period of the calendar year 1941.

(5) Any person may carry over the unused portions of his respective quotas established for any quota period pursuant to (b) (1), (2), (3), and (4) hereof, and utilize such unused portions only in the next following quota period.

(6) Any person who directly or indirectly serves any county or other area designated in Schedule D, § 1047.244, of Ration Order 3 of the Office of Price Administration (7 F.R. 6937), as amended, and (i) who computes his quota for any quota period commencing on January 1 upon the basis of the specified 1941 base period, as provided in (b) (1) or (3) hereof, and not the 1942 base period; or (ii) who is entitled to a quota pursuant to the provisions of (b) (2) or (4) hereof,

is hereby assigned a supplementary quota for each such quota period. Such supplementary quota, which shall be available only for ultimate distribution in the respective increased-population area referred to in said Schedule D, shall be computed by determining the amount of his quota under the provisions hereof, by determining the portion of that amount allocable to deliveries to or for each such area, and by applying to that portion the percentage of population increase designated in said Schedule D of Ration Order 3, for the respective area. Such supplementary quota shall be computed on the basis of the provisions of said Schedule D, which are in effect on the first day of the quota period during which the supplementary quota is used.

(7) The quotas prescribed hereunder shall be calculated quantitatively in terms of pounds.

(c) *Quota-exempt deliveries and acceptances*. This order shall not apply to tea delivered to, or accepted by, any person (1) for delivery by such person to or for a governmental agency, (2) to replace tea delivered by such person to or for a governmental agency, or (3) for delivery to some other person to replace tea delivered by such other person for ultimate delivery to or for a governmental agency: *Provided*, That the foregoing exemption relative to the acceptance of tea shall not apply unless the person accepting tea furnishes the supplier of such tea with a written certification in duplicate stating the name of the aforesaid governmental agency, the date upon which delivery was or will be made to such governmental agency, and the quantity of tea delivered or to be delivered to such governmental agency.

(d) *Packer's acceptances*. (1) Except as otherwise provided herein, no packer shall, during any quota period, accept delivery of a total quantity of bulk tea in excess of his permissible net deliveries (excluding any carry over permitted by (b) (5) hereof) as a packer during such quota period plus a quantity equal to the quantity, if any, by which his permissible net deliveries, as aforesaid, for the immediately preceding quota period exceeded the total quantity of bulk tea accepted by him during such immediately preceding quota period.

(2) In addition to the total quantity of bulk tea which may be accepted pursuant to (d) (1) hereof, a packer may, during the quota period beginning October 1, 1944, accept a quantity of bulk tea which is not in excess of 50 percent of his permissible net deliveries as a packer for the quota period beginning January 1, 1945: *Provided*, That the quantity of bulk tea which may be accepted hereunder by such packer during the quota period beginning January 1, 1945, shall be reduced by a corresponding quantity.

(e) *Restrictions on packaging*. (1) Unless otherwise authorized, no person shall pack tea intended for sale at retail in packages of more than 4 sizes, and such sizes shall contain only 16 ounces, 8

ounces, 4 ounces, or 1 $\frac{3}{8}$ ounces net weight.

(2) No person shall pack tea in tea bags or tea balls intended for sale at retail except at the rate of 200 tea bags or tea balls per net pound of tea; and no person shall pack tea bags or tea balls, intended for sale at retail, in packages of more than 3 sizes, and such sizes shall contain only 48 tea bags or tea balls, 16 tea bags or tea balls, or 8 tea bags or tea balls each.

(3) No person shall pack tea in tea bags or tea balls for, or sell tea bags or tea balls to, any hotel, club, restaurant, cafe, cafeteria, caterer, inn, railroad diner, lunch room, sandwich stand, or any public eating place in sizes other than the following: (i) For individual service, tea shall be packed at the rate of 200 or 250 tea bags or tea balls per net pound of tea, and such tea bags or tea balls shall be packed in individual packages containing only 100 tea bags or tea balls each; or (ii) for iced tea service, each tea bag or tea ball shall contain only 1 ounce of tea, and all such tea bags or tea balls which are packed in containers shall be so packed only in multiples of 16.

(f) *Applicability of order.* Any person doing business in one or more of the 48 States of the United States or the District of Columbia shall be subject to the provisions hereof, but the provisions hereof shall not apply to any person doing business within any Territory or possession of the United States with respect to such business.

(g) *Reports.* Each packer shall correctly complete form FDO-18-1 for each quota period and submit such completed form to the Director within 15 calendar days after termination of the quota period for which such form is submitted. Every packer and every wholesale receiver participating in any transaction to which this order applies shall maintain records which, upon examination, will disclose his total quarter-annual inventories of tea and the total quarter-annual deliveries made by him (if he is a packer) or accepted by him (if he is a wholesale receiver). If the sales slips, invoices, bills or other instruments or records customarily kept by him are sufficient to furnish the information specified herein, no additional record system need be installed to meet the requirements hereof. All documents and records heretofore or hereafter required to be kept by packers and wholesale receivers pursuant to the provisions of this order and now in the possession of packers and wholesale receivers shall be kept and preserved until the termination of this order.

(h) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth in such petition all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate which action shall be final.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to the Director of Distribution, War Food Administration, Washington 25, D. C., Ref. WFO-18.

(j) *Effective date.* The provisions hereof shall become effective at 12:01 a. m., e. w. t., November 22, 1944. With respect to violations of War Food Order No. 18-3, as amended, rights accrued, liabilities incurred, or appeals taken prior to the effective time of this amendment, said War Food Order No. 18-3, as amended, and in effect prior to the effective time hereof, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; W.F.O. 18, 8 F.R. 1778, 9103, 9 F.R. 4321, 4319)

Issued this 22d day of November 1944.

LEE MARSHALL,
Director of Distribution.

War Food Administration, Summary to WFO-18.3 Amendment 6.

During the current quarter, ending December 31, tea packers may accept a quantity of bulk tea not to exceed one-half of their delivery quotas for the first quarter of 1945, in addition to the quantity of tea which such persons were permitted to accept under Amendment 5 to War Food Order 18.3, for the fourth quarter of 1944, the War Food Administration has announced. This is not in the form of a bonus or extra quantity, nor does it indicate any additional sup-

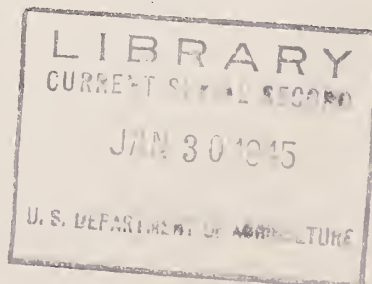
ply of tea. The extra quantity accepted during this quarter must be deducted from acceptances of bulk tea for the first quarter of 1945. The total quantity of tea which packers are permitted to deliver has not been changed.

This action, taken in Amendment 6 to War Food Order 18.3, effective November 22, enables packers to take advantage of recent heavy arrivals of tea. Packers may now accept the tea in advance, and arrange production schedules to prepare for heavier deliveries after the first of the year. WFA stated that the step was necessary since arrivals of tea are not

always in line with quantities packers may accept.

The amendment also permits packers and wholesale receivers to compute their respective quotas by applying the quota percentage to their deliveries of bulk and packaged tea combined during the base period.

WFA cautioned that equitable distribution of both bulk and packaged tea should be maintained and, therefore, bulk tea should be made available, within the quotas, to those still desiring tea in this form.



WAR FOOD ADMINISTRATION

WFO 18-3

PARTIAL SUSPENSION

DEC. 22, 1944

[WFO 18-3, as Amended, Partial
Suspension]

PART 1415—IMPORTED FOODS

TEA QUOTAS, PACKING RESTRICTIONS, RE-
PORTS, AND RECORDS FOR PACKERS AND
WHOLESALESALEERS

The provisions of § 1415.6, paragraphs (b), (c), (d), and (e) of War Food Order No. 18-3, as amended (9 F.R. 13943), issued on November 22, 1944, are temporarily suspended.

The provisions hereof shall become effective at 12:01 a. m., e. w. t., January 1, 1945, and shall continue in effect until 12:01 a. m., e. w. t., March 31, 1945, unless otherwise ordered by the Director. With respect to violations of said War Food Order 18-3, as amended, rights accrued, liabilities incurred, or appeals taken prior to the effective time hereof, the provisions of said War Food Order 18-3, as amended, and in effect prior to the time hereof, shall be deemed to be

in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 18, 8 F.R. 1778, 3244, 8388, 9103, 9 F.R. 4321, 4319, 9584)

Issued this 22d day of December 1944.

C. W. KITCHEN,
Acting Director of Distribution.

War Food Administration,
Summary to WFO 18-3, as amended,
Partial Suspension

Restrictions on acceptances, deliveries, and packaging of tea by packers or wholesale receivers will be suspended by War Food Administration for the first quarter of 1945. This action, taken in partial suspension of WFO 18-3, amendment 6, will remove all limitations of the order except the reporting and record-keeping requirements. Accordingly packers must continue to file quarterly reports of stocks and deliveries of tea on Form FDO 18-1 as in the past.

Distribution has been limited to 75 per-

cent of 1941 during the past year but due to changing conditions in the trade some packers have not had sufficient business to use their entire delivery quotas while the demands on others have been in excess of quotas. This, together with recent heavy arrivals of tea in this country, has resulted in a temporary accumulation of stocks, WFA stated. The additional flexibility in distribution allowed by the removal of acceptance and delivery restrictions, it is believed, will remedy this situation.

WFA cautioned that this does not mean that there is any greater quantity of tea available for the tea year ending April 1, 1945, than was originally sched-

uled. It also warned that the trade should not accelerate any promotional activity at this time since the supply situation after April 1 is still uncertain.

It is expected that there will be a substantial new demand from liberated areas for tea and if for any reason the quantity available to the U. S. after April 1, 1945 is reduced, a resumption of quota restrictions may be necessary. In the meantime, the movement of tea to packers will be carefully watched. The situation will be further reviewed after packers' reports for the first quarter of 1945 have been received and the amount of tea expected to be available during the new tea year is known, WFA stated.

WAR FOOD ADMINISTRATION

AMDT. 1 TO PARTIAL SUSPENSION

MAR. 22, 1945

[WFO 18-3, Partial Suspension, Amdt. 1]

PART 1415—IMPORTED FOODS

TEA QUOTAS, PACKING RESTRICTIONS, REPORTS, AND RECORDS FOR PACKERS AND WHOLESALEERS

The order (9 F.R. 14876, 10 F.R. 103), issued December 22, 1944, partially suspending War Food Order No. 18-3, as amended (9 F.R. 13943, 10 F.R. 103), is hereby amended to read as follows:

The provisions of § 1415.6, paragraphs (b), (c), (d), and (e) of War Food Order

No. 18-3, as amended (9 F.R. 13943, 10 F.R. 103), issued on November 22, 1944, are temporarily suspended.

The provisions hereof shall become effective at 12:01 a. m., e. w. t., January 1, 1945, and shall continue in effect until 12:01 a. m., e. w. t., July 1, 1945, unless otherwise ordered by the Director. With respect to violations of said War Food Order No. 18-3, as amended, rights accrued, liabilities incurred, or appeals taken prior to the effective time hereof, the provisions of said War Food Order No. 18-3, as amended, and in effect prior

to the time hereof, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 18, 8 F.R. 1778, 3244, 8388, 9103, 9 F.R. 4321, 4319, 9584, 10 F.R. 103)

Issued this 22d day of March 1945.

C. W. KITCHEN,
Director of Marketing Services.

War Food Administration Summary to WFO-18-3 as Amended, Partial Suspension Amendment 1.

Partial suspension of provisions of War Food Order 18-3 (Tea) has been extended to cover the second quarter through June 30, 1945. This suspension which has been in effect for the first quarter removes all limitations of the order except the reporting and record keeping requirements. Packers are, therefore, required to continue to file

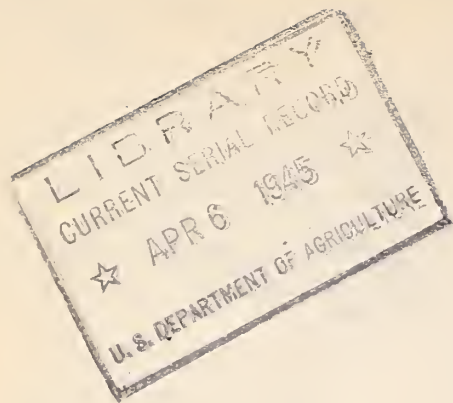
quarterly reports of stocks and deliveries of tea on Form FDO 18-1 as in the past.

This action has been taken by the War Food Administration in order to permit greater flexibility in distribution of tea. The quantity of tea expected to be available to the U. S. for this tea year, beginning April 1, 1945, is about the same as last year.

WFA cautions tea packers that this does not indicate enough tea for unlimited distribution in this country. There is expected to be only about the

same amount as last year, which will permit packers' deliveries at about 85 percent of 1941. This will not permit undue promotional activity which may cause packers' deliveries to exceed this mark.

Should distribution become unbalanced it may be necessary to reinstate the order's quota restrictions. Cooperation of the trade is solicited, therefore, to maintain orderly distribution in order that this may not be necessary.



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WFO 18-3

WAR FOOD ADMINISTRATION

AMDT. 2 TO PARTIAL SUSPENSION
JUNE 16, 1945

[WFO 18-3, as Amended, Amdt. 2 to Partial Suspension]

PART 1415—IMPORTED FOODS

TEA QUOTAS, PACKING RESTRICTIONS, REPORTS, AND RECORDS FOR PACKERS AND WHOLESALEERS

The order (9 F.R. 14876), issued December 22, 1944, as amended (10 F.R. 103, 3175), partially suspending War Food Order No. 18-3, as amended (9 F.R. 13943, 10 F.R. 103), is hereby further amended to read as follows:

The provisions of § 1415.6, paragraphs

(b), (c), (d), and (e) of War Food Order No. 18-3, as amended (9 F.R. 13943, 10 F.R. 103), issued on November 22, 1944, are temporarily suspended.

The provisions hereof shall become effective at 12:01 a. m., e. w. t., January 1, 1945, and shall continue in effect until 12:01 a. m., e. w. t., October 1, 1945, unless otherwise ordered by the Director. With respect to violations of said War Food Order No. 18-3, as amended, rights accrued, liabilities incurred, or appeals taken prior to the effective time hereof, the provisions of said War Food Order

No. 18-3, as amended, and in effect prior to the time hereof, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 18, 8 F.R. 1778, 3244, 8388, 9103, 9 F.R. 4321, 4319, 9584, 10 F.R. 103)

Issued this 16th day of June 1945.

C. W. KITCHEN,
Director of Marketing Services.

War Food Administration;
Summary to WFO-18-3 as amended
Partial Suspension Amendment 2.

Partial suspension of War Food Order 18-3 (the order restricting packaging and distribution of tea) has been extended to cover the third quarter, through September 30, 1945, the War Food Administration announces.

This extension is covered in Amendment No. 2 to Partial Suspension of the order which has been in effect since

January 1945, and which removes all limitations of the order except reporting and record keeping requirements. Packers are still required to file quarterly report form FDO 18-1 covering their stocks and deliveries of tea.

WFA officials expect the total quantity of tea available during this tea year, ending March 31, 1946, to be about the same as last year, although the allocation for the tea year has not yet been confirmed by the Combined Food Board.

This should permit packers' deliveries at about 85 percent of their 1941 deliveries. Reports show packer's deliveries during the first quarter were above this average.

WFA cautions the packers that the supply of tea is still limited and that there is not sufficient for increased distribution. Packers are advised not to institute any undue promotional activity which might cause their deliveries to exceed the quantity available and thereby cause a return of quota restrictions.

